

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, July 19, 1988 at 7:30 p.m.

Present: Monique Gablenz, Deputy Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilperson

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Absent: Joseph F. Janoski, Supervisor

Deputy Supervisor Gablenz called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Deputy Supervisor Gablenz, "Supervisor Janoski will not be present tonight as he is out of town. We have several department heads present tonight if anyone should have any questions for them, you can ask them during the meeting or perhaps save it until after when you can speak to them personally. Do I have a motion to approve the minutes of Board meeting July 5th and Special Board meeting of July 14th?"

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meeting of July 5,* 1988 and Special Board Meeting of July 14, 1988 are hereby dispensed and approved without objection.

*Regular Board Minutes only

The vote, Boschetti, yes, Pike, abstain, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Special Board Minutes

The vote, Boschetti, abstain, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Deputy Supervisor Gablenz, "Mrs. Pendzick, would you please read the Reports."

REPORTS

Police Department-month of May, 1988.

File

Conservation Advisory Council-Minutes of 6/29/88 Meeting.

File

Planning Board, 7/14/88-Requests Town Board to authorize grant of scenic easement and deed to beach area.

File

Building department-month of June, 1988.

File

7/15/88 411
REPORTS, Continued

Planning Board-Approval of major subdivisions: "Emil J. Breitenbach, Jr.", "Johnston Farms", and "Fox Meadow".

File

Open Bid Report - Sandy Hollow Woods Sewer Main.
(See Sewer District Minutes).

File

Open Bid Report - Sandy Hollow Woods Water Main.
(See Water District Minutes).

File

Deputy Supervisor Gablenz, "Thank you. Applications please."

APPLICATIONS

Carnival-Elks Lodge, 9/1/88 to 9/5/88.

File

Special Permit-Long Lake Congeneation Corp.-electric generating facility, Sound Shore Road.

File

Deputy Supervisor Gablenz, "Thank you. Correspondence."

CORRESPONDENCE

Alice Graff, 7/7/88-proposes that park area along Peconic River be named after Doris Smith, former Supervisor Allen Smith's mother.

File

Alice Graff, 7/7/88-supports Town acquisition of Corwin House, circa 1827.

File

Deputy Supervisor Gablenz, "The hour of the first public hearing has not yet arrived. Therefore, I would open the meeting to anyone who wishes to address the Board on any matter. Yes ma'am."

Florence Sykora, Riverhead, "I'm going to start off with asking a question. You have the Town Clerk send the rules and regulations to the Police Department concerning Riverhead Raceway and the uses of the mufflers on the cars. Did you define any procedure, this is my question, that or how this law was to be implemented by the Police Department. I would like an answer to that question."

Deputy Supervisor Gablenz, "I know the Supervisor has met with the Chief of Police to discuss enforcement of that law."

Florence Sykora, "Ok. I'll continue. We had an episode that occurred on Wednesday, July the 6th between Sgt. Grattan and two other police officers that came to our residence. Before arriving at our home, my husband had a conversation with Sgt. Grattan on the phone attempting to explain the law and reading it to him that he wasn't getting anywhere. My husband finally suggested to Sgt. Grattan to come to our home which he did with two other police officers. The one officer Joseph

PERSONAL APPEARANCES, ContinuedFlorence Sykora, Continued

and I don't know whether I'm going to be able to pronounce his name but I'll spell it. L-o-g-g-i-a, badge 42, stated he and his partner went to the raceway. And while there, was either shown a picture or the inside of a muffler. His explanation of the type of muffler which was one containing a spiral or as they call; a cork skrew muffler. And he said that the vehicle in the raceway had these mufflers. Now, according to what you have in the rules and regulations, this is not the type of muffler that is supposed to be used. It states in the rules and regulations that Law 375 of the State of New York specifies that type of muffler which is to be used. These contain a series of chambers or baffles. My husband debated with the officers stating this is what is in the rules which I stated again and is written to you to use mufflers that pertain to Law 375 of the State of New York. The officers claim that there is a difference between manufactured cars and a raceway car. This makes no difference because of what is stated in the rules and regulations. That is what is to be carried out. After this, Sgt. Grattan said nobody told him how he had to implement or find out if the right mufflers were on the cars. Each car has to be inspected individually with a sound meter according to Law 386. Sgt. Grattan said he could not go into that raceway and do anything like that because he could be sued. As he had not been given any procedure to follow, he asked my husband and I to go to the raceway with him and his officers to press charges. That; no way. They have to have the mufflers. That is what the law states. That's what they're there for. That's what the law stated in the rules and regulations. Why should we have to be made to go to the raceway. But, now let me get where I am. That is not our job. There was supposedly a law now on the books to cover this situation. But we see and found out later by calling Mr. Lombardi, that nothing was told to the Police Department how to enforce this law. Our apologies had to be given to the police officers because of not being informed on how to carry this procedure out. But it still stands to reasoning, who is at fault for not informing the police of the proper procedure. We have two attorneys sitting on the Board. We have a Town Attorney. I would like to know why they couldn't foresee this happening. That this was not with enforcement put in the rules and regulations."

Councilman Pike, "The assumption is wrong. In fact, you recall that all of the major hearings that we've had on that resolution and the ordinance, I suggested four major improvements to it. One of which was on site enforcement being built into the law. The second is was a certified list of mufflers that met standards acceptable to the neighborhood. The third was, that any expansion of the raceway would require an accoustic enclosure. I've anticipated those problems. I think the Board now realizes that there are some enforcement problems. We have the opportunity (tonight) to pass the new so called compromise version of the bill. That will not be done. It will not be done because we are aware of the enforcement problems and some of the suggestions that Mr. Boschetti has made and some of the suggestions that I have made are going to be incorporated in the new raceway bill. The legislative battle is not over here. And we've been listening very carefully to what you say and I think you've been very helpful to us."

PERSONAL APPEARANCES, Continued

Florence Sykora, "Well, look right now. There was papers put in the Town Clerk's Office; Southampton, Islip, that would have gave you procedures to follow as far as giving rules and regulations on a racetrack. These are them here."

Councilman Pike, "You're talking about a noise ordinance."

Florence Sykora, "No, it's racetrack. It may have something to do with the noise but yet it could be to follow of how to control the racetrack and the mufflers. This is the main thing we're after right now is to get the right type of mufflers on these cars. Have any of you looked up the law 375 and then go to 386 to see how it's to be carried out? No. Here is a picture of a standard muffler. New York State is supposed to be standard muffler. I also have a book; Webster's Dictionary that has a picture of a muffler in it and it tells you how that type of muffler should be and that's a state muffler. So if I can find this, why can't you?"

Deputy Supervisor Gablenz, "Mrs. Sykora, I think that the Board understands how serious your concerns are and I think they share those concerns with you and that is what Mr. Pike stated. And that they are holding off on passing that resolution this evening so that they can better write that resolution to include some of the problems that you are talking about."

Councilman Pike, "You should also understand, and I think substance here is a little bit more productive than anger although I understand your anger. But if you want to talk about substance, let's do that. The fact is that there is no law on the books in the Town of Riverhead right now that regulates raceways. So if the cops were talking about enforcement problem, they've got a real serious one because there is no law on the books. It was invalidated by a Supreme Court decision. We have a basic dilemma here which is to put in an inadequate law which you're complaining about and try to enforce that or spend a little bit more time making a better law and enforce that. I think you will agree that it makes more sense to do the later. And if you don't, I'd like to hear about it. Because at the moment, we have no law on the books to enforce."

Florence Sykora, "Then why was these rules and regulations sent to the Police Department in the first place?"

Councilman Pike, "I stand corrected. There is the prior version of the law that we are seeking to improve."

Florence Sykora, "Can you let us know what it is?"

Deputy Supervisor Gablenz, "We do have rules and regulations on the books but we are looking to improve those. We are trying to rewrite that legislation so that we can better enforce it for yourself and your neighbors."

Councilman Pike, "Somehow I also suspect that a repetition of what applies to every day cars is not going to work in a motor vehicle raceway system. I've always thought that provision of the law was inadequate. That's why I think we ought to certify particular mufflers

PERSONAL APPEARANCES, ContinuedCouncilman Pike, Continued

for particular applications and this particular raceway. We're arguing over little things when the big thing is that I don't even think that if we did what it says there to provide baffled mufflers, would work. You folks want a performance standard. You folks want to live in a neighborhood that's compatible with its neighbor. And technical compliance with a law that was designed to apply to manufactured cars throughout the state is not going to work as adequately or as perfectly as we could if we said specifically; look. We expect that 200 some feet from this facility that the noise level will be such and such; 68db. I don't know what the standard is. But that is the sort of criteria we ought to be going for. It is not in the current law. It is not in the current provisions of the law. And I think specific treatment of the mufflers will provide it I think specific treatment of noise containment at the facility level is the way that we've got to go now and that requires more time than we've taken now."

Florence Sykora, "Well, you have the law 386 when if you have to use the mufflers that the person stands 50 feet away and the car revs its motors or the driver revs its motor up. And if it goes to 70 or above, that hasn't got the right type of muffler on it. That's how that law read. Now, is that to no avail either? That's a state law. That can't be used? This is very serious to us sir."

Deputy Supervisor Gablenz, "There's a limit. We ask that everybody conform to it. Five minute limit per speaker. Mrs. Sykora, maybe you can speak with the Town Attorney, speak with the Board members afterwards and we can come to some conclusion that we can both agree on."

Florence Sykora, "Because we have become very angry. I am responsible for 600 names that have asked my husband and I to do something about this. And you know what I did the last time I was here and I am angry now because this is going to take that much longer and I know there are other people here that want to get their point of view over on the things that they want. I want to get the point of view over on what we want and we're being thrown out of it. That's the way we feel and that's what I've been told by people already. That the politicians here in Riverhead are not working with their people and it's about time they started to work with the people."

Deputy Supervisor Gablenz, "Thank you Mrs. Sykora. If we could just get to the public hearings because we are passed the time for the first public hearing. We will again go back and receive comments from the public. Let the record show that the hour of 7:51 has arrived. Will the Town Clerk read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, July 19, 1988 at 7:45 p.m. to hear all interested persons who wish to be heard regarding: Local Law of 1988 to amend Local Law #1-1979 entitled Appearance Tickets.

Deputy Supervisor Gablenz, "Pat, if you could just give a brief explanation."

Patricia Moore, Town Attorney, "The Office of the Town Attorney has the ordinance inspector position which goes around and checks ordinance violations and issues summonses. Part of the procedure will, this Local Law will allow the ordinance inspector to issue appearance tickets which are short, similiar to traffic violations, traffic tickets. And that will allow him to correct violations more expeditiously."

Deputy Supervisor Gablenz, "Thank you. Is there anyone wishing to address the Board on this specific matter? Mr. Kasperovich."

William Kasperovich, Wading River, "When the resolution came up at a Town Board meeting, not everybody knows. William Kasperovich. I live on 15th Street for the last 25-30 years and I've been up here before the Town Board for 25-30 years. When I get hot under the collar, I don't need microphones. Unfortunately, I guess fortunately for him, Supervisor Janoski is not here. Because this is another one of his sneaky back door political sleazy ways of doing government. And that's as polite as I can be. Over a can of beer you would hear words you wouldn't want before your wife or children. The Town advertised for an ordinance inspector. They interviewed for an ordinance inspector. They hired an ordinance inspector. Those are the two words that are on the books. And here they are trying to make him an ordinance enforcement officer which is an entirely different thing. And you three attorneys up there should know that. And if you don't know that, you should go work some place else. Now, the Town Attorney tells us that appearance tickets are like traffic tickets. Now all I could think of was to say the h--- you say lady. A traffic ticket you can get fined to the extent of the violation. It can be acted on by a judge. An appearance ticket can not and should not be such. I am still seething at an armful of twigs. The Town of Riverhead sends me a criminal summonses by the people of the State of New York and we go through court until one of the better people in Suffolk County tells the judge and the prosecutor where the h--- to get off and we put the case aside. So ordinances to me, in this town, are important. And you Town Board, do nothing, absolutely nothing for your constituents when their here under a citation. I will take acception with John Lombardi. I'll take acception with Lou Boschetti who quite often come up to the defense of their constituents. But as a general rule, these ordinances play h--- with the citizen of Riverhead. And here, improperly, you're giving a man authority to issue tickets when the title of his position and his position that he was hired for, should not be given police powers. Because you are chipping away from the Police Department and giving it to civilians before our lifetime and before the Police Department enforced ordinances. Now you're giving it to a lay person and you haven't asked for any background whatsoever of this individual to qualify him to issue these tickets. And I say, where the h--- do you get off with this kind of stuff. This should never be here because you didn't hire a man to do this. You hired a man and all you asked for is a high school dimploma and two years of some, any kind of work to speak of and this is your qualification for a man to go out and give out tickets."

PUBLIC HEARING, Continued

Deputy Supervisor Gablenz, "Mr. Kasperovich, this is a public hearing so we can receive the comments of the public on a proposal. That's exactly what we're doing tonight. The Board will go back and consider what you've said. There's a lot of people here tonight who I'm sure would like to address the Board."

William Kasperovich, "You must have memorized this from one of Janoski's speeches because you're sure talking like he is. It's a public hearing and I'm voicing my opinion as public and I don't want any intimidation or any officers standing around the door to throw me out of here."

Deputy Supervisor Gablenz, "Mr. Kasperovich, if I am 100 pounds, can intimidate you, I would be very amazed. All I'm asking..."

William Kasperovich, "Well you're intimidating me by just being there when Janoski should be there. We didn't elect you young lady. We elected a man who doesn't show up when his people are here with serious problems and now you're trying to cut me down on a public hearing."

Deputy Supervisor Gablenz, "Mr. Kasperovich, all I am doing is asking that you would consider the rest of the people that are here tonight and keep your comments to five minutes."

William Kaspereovich, "I keep my comments to whatever I feel is necessary and appropriate to the issue. And this issue is such a flagrant act on the part of the Town Board, that there should be no limit of time because your integrity is in question. And these people, the more of them, maybe they'll get to see you and maybe they'll recognize that tonight you're going to publish a resolution to put that character up for, not for two years but for four years. With two years, we can live with him and have a chance to get somebody else. You want us to live with him for four years. And these people should know this. It's irrelevant to the point when you have a public hearing and it takes a man a few minutes longer to express himself, you don't want to give it to him. Now you have a public hearing to add to the building inspector to an administrative individual, to the fire inspector, you're going to add ordinance inspectors and that should absolutely not be. If you want to put a code enforcement officer, that's a reasonable choice. But an ordinance inspector title as such for a man out of high school with only two years experience, is absolutely wrong. And so I say, this action of the Town Board should be put aside and tucked in the corner and pray that the people forget about this kind of conduct."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on this matter? That being the case, and without objection, I declare this hearing closed." Let the record show that the hour of 8:01 has arrived. Will the Town Clerk read the notice of public hearing."

7:45 PUBLIC HEARING CLOSED AT 8:01

PUBIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, July 19, 1988 at 7:55 p.m. to hear all interested persons who wish to be heard regarding: The Increase and Improvements to the Riverhead Sewer District at an estimated cost of \$1,495,000 for a trickling filter, construction of biological discs, contact tank and valves.

(See Sewer District Minutes)

7:55 PUBLIC HEARING CLOSED AT 9:18

Deputy Supervisor Gablenz, "I would ask if there is anybody else who wishes to address the Board on any matter. Mr. Wicklund."

Allen Wicklund, Northville, "I stand here as the president of the Northville Beach Civic Association. I will enter into record at this time, a letter. I will read it to the Board, that I delivered to the Town Hall this afternoon. Each member of the Board should have a copy of it. It states: We, the citizens of Northville Beach, request that the Town Board postpone the SEQRA hearing, that being the scoping hearing that is presently set for August 9th in regards to the proposal by Long Lake Corporation to construct a power plant in Northville. Our reason being that the environmental assessment form was filed on July 18th. I may be corrected on that. It may have been July 15th. And the ensuing scheduling of the SEQRA hearing on August 9th allows the citizens of Riverhead and neighboring communities only 22, possibly 25 days to study the proposal. The Northville Beach Civic Association is presently working with private consultants to gather the necessary information to knowledgably address this proposal. Therefore, we feel that the period of thirty days which I am requesting be commenced from August 9th, will allow us adequate and reasonable time to prepare our information. As an example of the effort that we've put into this project, I have a letter from one of the consultants that we are working with. We have taken the trouble to bring him here this evening to validate our case to the Town Board. The correspondence that he had delivered to me today, prior to me seeing him personally says; gentlemen, directing this to the Town Board. The burning of fossil fuels is associated with environmental pollution due to sulphur dioxide, ozone, nitrogen dioxide and other irritants. It has been repeatedly demonstrated that these substances in varying concentrations, impose a significant health hazard. One factor that is not well defined is the locale where a generating plant would be located. If such a plant were near an area of high humidification as occurs close to Long Island Sound, one can expect a greater amount of environmental local pollution than would ordinarily be found in a more central part of Long Island. Sulphur dioxide would specifically pose a significant health hazard for those with asthma. In an area which is so close to a children's camp, I would exercise extreme caution in recommending such a location. Vacation areas such that exist around Sound Shore Road, is not an optable location for a co-generating plant as is described. I would comment personally, that the plant that's proposed, is not a co-generating facility at this time. It is a peaking plant. There will be no useful

Allen Wicklund, Continued

by product other than the electricity it generates. Ok. To find where I was, I'll start the paragraph again. Vacation areas such as exists around Sound Shore Road, is not an optimal location for a co-generating plant as is described. Certainly one realizes that any amount of pollution represents some hazard. Much of which is undefined. Much of which has already been described and is known. There is ample literature to attest to the problems associated with ozone, the greenhouse effect. Sulphur dioxide, acid rain, etc. All of which would be associated with the plant in the area described. Sincerely, Robert Schick, MD who is associated with the Long Island Pulmonary Associates. They practice limited to pulmonary diseases. And Dr. Schick, if you'll stand up please. We are very concerned about what's going on. We go to no length to find the facts on it and demonstrate that we are taking a responsible approach to this issue. Dr. Schick, if you would just like to make that comment as to the amount of time that will be necessary for us to gather the necessary information prior to a scoping hearing, it may help our case. And I will take the podium again."

Dr. Schick, "I should add, however, that in addition to being a consultant, I've also been a resident on Sound Shore Road for over 20 years. So I have a personal stake in this. And I did a limited literature search to find out exactly if the relatively advertised low concentrations of pollutants would be of any significance. And I find that, as mentioned in my letter, that local factors such as the geography, the prevailing wind, other risk factors that people living in that area would have. Especially at the beach, the Sound Shore public beach at the end of Iron Pier Avenue that with the prevailing southwest wind that we might have more of a problem than we really need. And I think that this is really not an optimal location. Thank you."

Allen Wicklund, "This is just a slight demonstration of how concerned we are and how desperately we are seeking the truth on this issue. So I think it's very reasonable that we ask an additional thirty days from August 9th to prepare our case. At this time I would further like to advise the Board that in cooperation with the Long Lake Corporation, the Northville Beach Civic Association will be holding an open forum to discuss, as Long Lake would put it, the merits of their plant and we will also have the opportunity to present our case. Members of the Board, Mr. Janoski, when he returns to Riverhead, I would like you to be notified that you are invited. We will be in contact with you and you will be informed when it will be."

Irene Pendzick, "Excuse me. Have you set a date for that?"

Allen Wicklund, "No. The idea just came to light this evening and we will be in touch. Just so everyone present is aware of it, this extension that we have asked for that will be addressed at the work session on Thursday? Is that correct. Will that be when it is proposed?"

PERSONAL APPEARANCES, Continued

Councilman Pike, "We're going to have to talk about it during the recess tonight because there's a resolution pending tonight."

Councilman Boschetti, "We have to take action on it tonight."

Councilman Lombardi, "We may have to decide tonight."

Councilman Pike, "We're going to have to take a recess and talk about this because there's a resolution setting the hearing."

Allen Wicklund, "Ok. We'll stay here until you make your decision then."

Deputy Supervisor Gablenz, "Joan."

Joan Marshall, "I'm the owner of Roanoke Liquors on Route 58 in Riverhead. I want to talk to you tonight again about the increase in robberies especially on Route 58 and my store again. I also want to talk to you about the need for additional police protection and how I feel it might be solved. As you can see by the headlines, my store, Roanoke Liquors was held up again last Monday. In December I appeared before the Town Board for help to stop the break-ins and robberies on Route 58. A committee was formed consisting of two Town Board members, Police Chief Grattan, Riverhead Chamber members and myself to find some workable solutions. We met in January and February. Since then, I have heard nothing about another meeting. Therefore, I had to come here again. The Riverhead Police are not entirely at fault for they are doing the best they can with what they have. The size of the squads are down because of vacation, sickness and injuries. Police officers are even refusing overtime because they're tired. As I understand, Chief Grattan has requested an increase in staff from 59 to 85. He knows he needs help. Even though you hired four new officers, I also know that three have retired. Until such time that the Board can increase the police department, I feel the following solution could be the answer. The Board and the Police Chief should request help from state police in Albany. You have not met with them regarding the problems on 58 and the rest of Riverhead or asked for their assistance. They are a full scale police department with detectives, canines, labs and etc. They're not like the Sheriff's Department which is limited. They're not trained. The Sheriff is not a trained police officer but they have their own academy. You do not utilize them. If there is an event such as the circus that's coming out, you call or ask for their help in advance. I don't mean a couple of days. We, as taxpayers, are paying for this service out of the state budget, the general funds. Albany has decreased the troopers in Riverhead and I would like the town to get them back. Use them until you can afford to build up your own. They are great. So far tonight, everything has cost you money. This is for money. If you call the Suffolk County Precinct, they would charge you because it's out of their district. The troopers have a good record. They are the ones that caught Daniels when he escaped. They are the ones that caught the guy that shot officer Tuthill. We need help. It is there. Use it. Let there be a liason between the two enforcement agencies and have reports back to the police committees. Make sure everything is being done. Don't let politics enter into what we need. I want to know that the residents can

PERSONAL APPEARANCES, ContinuedJoan Marshall, Continued

come out after 5 o'clock to shop. In summation, I'm a store owner who has been robbed three times, broken into three times over the past year. This is an outrageous record. I have requested a police call box be installed in my shopping center in the beginning of the year. No action has been taken on this very legitimate and logical request. Until such time the call box is installed and the force is increased to help keep these robberies in check. I suggest we involve ourselves with the state troopers. They are here, free and do a good job. Thank you."

Deputy Supervisor Gablenz, "I would ask that we take a fifteen minute recess to discuss some of the matters which have been brought to the Board on the Long Lake Energy application. We'll reconvene at 9:45."

TOWN BOARD MEETING RECESSED AT 9:30

TOWN BOARD MEETING RECONVENED AT 10:00

Deputy Supervisor Gablenz, "Let the record show that the hour of 10 o'clock has arrived. We're going to proceed with the resolutions."

Resolutions #466-#488 contained on pages 834-891 of the 1988 Resolution Book.

#478 SCHEDULES SCOPING HEARING FOR SPECIAL PERMIT APPLICATION OF LONG LAKE ENERGY CORPORATION.

Councilman Boschetti, "478 is calling a day for a scoping hearing to be held regarding an application submitted by Long Lake Energy Corporation. And I guess most of you know that they are seeking to have a peak generator facility placed up in the Northville area. The time of the hearing will be at 7 p.m. here at Town Hall and we are going to keep it as August 9th. There will be an amendment from the floor however, that will extend the time that comments can be made by two weeks. So I move 478."

Councilman Pike, "I'd like to move to amend it to add a further resolve that the record for acceptance of suggestions as to the scope of this environmental impact statement be extended for two weeks following the hearing date and the record be kept open so that all parties interested in it can submit what ever issues, questions or concerns they would have that they would like to see fully addressed in the environmental impact statement." (before vote) "Let me comment here. I want to make it clear to people that the environmental quality review process starts with a lot of questions and you're not expected to show up at the scoping hearing with all of your evidence, all of your hearings. This is really, what is it that we should be worried about. And for those of you who have enjoyed the presentations of the North Fork Environmental Council, you will discover it is relatively easy to develop a fully scaled list of important concerns. You've got from now to at least until that hearing plus another

RESOLUTIONS, Continued

Councilman Pike, Continued

two weeks to do that. Those aren't the answers. Those are the questions. And I ask that you take advantage of that opportunity so that we can get every question that you might have fully answered."

#485 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE RE: EXTENSION OF SPECIAL PERMIT OF BROAD COVE.

Councilman Pike, "Comment first. For those who are not aware, Broad Cove is a special permit approval for 500 condominium units off the river. It is a subject that was approved in the '70's. The applicant has not been able to vest his rights in that permit until now. The applicant appeared before the Town Board this Monday to request an extension. We think it's fair and appropriate that before any consideration be given to that question, that there be a full hearing on the relative merits on both the project and some of the non-compliance problems they apparently have with the D.E.C. And I think it's a very important hearing because it's the single largest development project pending in the Town of Riverhead. I'd encourage people to attend."

Deputy Supervisor Gablenz, "We'll open the meeting again to anybody who wishes to address the Board. Mary Beth."

Mary Beth Andresen, Aquebogue, "I'm a little disappointed in the fact that I thought you would go right back to where the meeting had left off when we took the intermission break. And when people have comments from the floor, it's sad that some people don't stay around to listen to everything. And when they've got their point of interest across, they do leave. And what I have to say, I would truly like to have had a lot of people receive the benefit of it and I wish next time maybe we can leave the resolutions until the end and continue with our comments from the floor. Members of the Town Board, I'm here this evening to urge you to investigate a long range plan with regard to the acquisition of more beach property and additional lands for recreational uses. For example, tennis courts and basketball courts, ball fields such as soccer and baseball fields. In addition to this long range plan, we must envision to allow for growth that is tantamount at this time. We must take into consideration the maintenance of these recreation facilities. And I find it hard to believe that here it is in July and our town tennis courts are closed during prime time for us awaiting bids for their repair. I urge you to start the wheels in motion now to improve our antiquated recreational facilities and literally pave the courts for future use for the people of the Town of Riverhead for today and in the future. Thank you. Anybody that's on the recreation committee, I know it's in your hands as Town Board members to get behind the recreation committee and maybe to alert people in this town. We are facing situations at our beaches where you can't park your car. We have a lot of people using a very small beach facilities in this town. And that is now before all this great new growth is coming in. I think we have to start thinking about either acquiring new beach facilities, condemnation of land or possibly with our TDR's encouraging paving new roads to the Sound front and what have you and I think the time is too short. I really do. I don't think the prices are going to get cheaper and I think we have to look

PERSONAL APPEARANCES, ContinuedMary Beth, Andresen, Continued

at it. I think Townscape would like to help along these lines with recreational usage and I know I will pledge support with money in that area. Thank you very much."

Deputy Supervisor Gablenz, "Thank you. Yes ma'am."

Joan Rogers, Aquebogue, "I'd like to preesnt petitions representing a very small percentage of the people who are against the Long Lake co-generation project. I'd like to present it with the thought in mind that Mr. Cadarro, several times has said, if he does not have 100% support from the community, he will not go ahead."

Deputy Supervisor Gablenz, "Thank you. Yes sir."

William Uraniek, Jr., S. Jamesport, "I'm the vice president of Great Meadows Property Association. I also have petitions here that are signed and I will get copies to you, against the generating plant. But I also have another disagreement sort of, that I'd like to go over with you people. You people have a contract with Larry's Marina for East Creek Marina. And what I'd like to know is what you people consider a resident of Riverhead? Because in the contract it says; residents of Riverhead have first preference to the slips at East Creek Marina. Now, who is considered a resident? A person who lives here all year around? A person who owns property, a house, pays taxes and lives here in the summer time, weekends, some of the winter time. Are they considered residents? I'd like an answer on that."

Councilman Boschetti, "Does the contract contain a definition of resident?"

William Uraniek, Jr. "No it doesn't. It also states...."

Councilman Pike, "I can give you a straight legal answer which will not be what the town is actually doing. But a resident is simply somebody who resides here. It is not the more restrictive definition that is often used which is domiciled. And domiciled is somebody who not only lives here but intends to stay here as a permanent resident. So that evidence of that would be; he votes here, pays his taxes out here, files his taxes out here. So a resident would be somebody who resides here. I'm enough of a lawyer that anybody who has been living on his boat long enough, could make a pretty good case that he resides here. It's a pretty open definition is what I'm telling you."

William Uraniek, Jr., "Well, the reason I'm bringing this up, I have a summer home here and I come out every weekend. I spend five six weeks vacation out here. I spent a lot of time out here and I pay taxes here. I had my boat at East Creek Marine. All of a sudden, I was refused a slip and I'm not the only one in the association. This is why this was brought up. It has been over a period of years. In your contract it states; that all reservations have to be paid by April 1st of the year. Now, he sends out a contract like the contract he sent out in '84. He sent it out and you have to pay by March 1st. But the contract that you have with him, is April 1st. Why does he send a contract out saying March the 1st. That was in '84. It gets better."

PERSONAL APPEARANCES, Continued

Councilman Pike, "Do you have a copy of this contract?"

William Urianek, Jr., "Yes. Would you like it?"

Councilman Pike, "Sure would."

William Urianek, Jr., "You can many more right down the hall whenever you need it. In 1986, he would like it by February 1st but still the contract with the town is April 1st. Now he's saying February 1st. I got the letter from him refusing me dockage because I was late. I sent him a check which I have a copy of over here. And the check is March the 9th which is much before April the 1st. I'm not the only one that's involved in this. And how it came up, a friend of ours who lives in our association, he saw Larry over at the marina at the show. He says; do you have a slip for me? And this was approximately around May the 15th. He asked him if he had a slip. And he said; oh yes. I'm pretty sure I do but call my son and verify it with my son. So he called his son and asked him for his slip and his son said no. There's none available... And then on March the 2nd, I called Larry's Marina and I asked him if there was any slips available at East Creek and he said yes. He says; come on down and get a copy of the contract. I said no. How about you sending me a copy which he did which I took into the Post Office when I opened it and I had them stamp the date on it. The date is June the 2nd of this year. But still, for a resident, he didn't have any slips. I don't understand it. Also, I don't know about winter storage. There's nothing in the contract that I could see that says you have to winter store your boat with him. So there's a gentleman sitting in the audience over here, he had summer storage but he took his boat and he put it on his property. The following year, he told him I don't think you should come over here and moor your boat here. But he is a resident and taxpayer. There's another gentleman sitting over here, the same thing happened to him. The one that's not here is the worse one. He pays more taxes than all of us because of the piece of property he's got and he's denied a slip which basically that property belongs to us. We only lease it to him but he's not living up to the contract he signed with the town. I think there should be something done about. If you want any copies of these papers that I have, I will be glad to give them to you."

Councilman Boschetti, "Excuse me. Could we get the names and addresses and the phone numbers of those who you feel have....?"

William Urianek, "Sure. I'm sure they're willing to talk to you about it at any time."

Councilman Boschetti, "If you're aware of them, would you forward them to my office. I'd be interested in looking into it."

William Urianek, Jr., "I certainly will. In fact two of the gentlemen sitting right in the audience, are right here. Thank you."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board? Mrs. Graff."

PERSONAL APPEARANCES, Continued

Alice Graff, Riverhead, "I had spoken to you recently about the Lighthouse contract with Larry. Could you tell me? I was asking. I understand it's \$1,000 a year and did you find any of that other information?"

Councilman Lombardi, "I have not spoken to Jack Hansen as of yet. Jack was away and I was away Alice. Tomorrow I will check with Jack. I got the contract and we will find out what's going on."

Alice Graff, "This is bad."

William Urianek, "I think I might have it. I think in that contract it states that ten percent of the dockage fee or the minimum of \$1,000. Also, there was one other item I forgot to mention. There was another resident of ours who had a boat there and again, he wanted to store it in his house. He now has a different rate. If you do not winter store with him.... I don't care what he does at Larry's Marina. It's his property. This is the town's property and I think it's unfair for the town to let him get away with this. I think it's absolutely wrong on what he's doing because he's discriminanting against the people who pay the taxes on our property that he leases."

Deputy Supervisor Gablenz, "I'm sure the Town Board is certainly going to have a discussion with Mr. Galasso. Thank you."

William Urianek, "Don't have it with him. Have it with his son because he's a nasty individual. Because I spoke to him and I asked him... Excuse me. One more thing. I asked him if that was in the contract that residents get first preferance. Do you know what he told me? I don't want to repeat it here. He said that's bull. You know what the other word is."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board? That being the case, this meeting is adjourned at 10:30."

There being no further business on motion or vote, the meeting adjourned at 10:30 p.m.

IJP:nm

Irene J. Pendzick
Town Clerk